IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWELFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 8625 of 1995

Between:

Kanaparthi Vishwanadam S/o Chinna Jogaiah, aged 60 years,
Gandrai Village, Jaggaiahpet Mandal,
Krishna Dist.,

..... PETITIONER

AND

1 The Additional Revenue Divisional Officer,
Land Reforms Bandar, Krishna Dist.,
2 Sub-Collector,Vijayawada,
Vijayawada,
3 Mandal Revenue Officer,
Jaggaiahpet, Krishna District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction particularly one in ;the nature of Writ of Mandamus, declaring the action of the respondent No.1 in issuing the proceedings in Rc.C.C.No.250/JPT/75 dated 6-3-1995 without restoring the possession of the land admeasuring Ac.2.06 cents in R.S.191/1 of Malakpuram to the petitioner and then initiate surrender proceedings against the petitioner in accordance with law.

Counsel for the Petitioner:MR.K.DURGA PRASAD

Counsel for the Respondents.: GP FOR REVENUE

The Court made the following :

ORDER:

This Writ Petition is filed questioning the action of the 1st respondent in issuing proceedings dated 6-3-1995 requiring the petitioner to surrender statement for the excess land equallant to 0.7631 standard holding within a week.

Pursuant to the filing of the Writ Petition the 1st respondent filed counter affidavit stating that Land Reforms Tribunal vide proceeding No. 13-9-1995 has re-conveyed the petition schedule land of Ac.2-96 cents in R.S.No. 191/1 of Malkapuram village. The relevant paragraph reads as under:

> *"It is submitted that though the Land Reforms Tribunal, Bandar in its Endorsement dated 21-4-1995 fairly admitted for the re-conveyance of the petition schedule land on his application, the petitioner herein filed this Writ Petition in the Honourable High Court only with the intention to prolong the surrender of excess land already determined. However, the Land Reforms Tribunal, Bandar in its proceedings dated 13-9-1995 has issued orders for re-conveyance of the petition schedule land of ac. 2-96 cents in R.S.No. 191/1 of Malkapuram village to the declarant/petitioner herein".*

Heard the learned counsel for the petitioner and also Government Pleader for Revenue.

Both the counsel conceded that since the land of the petitioner was already re-conveyed, the Writ Petition has become infructuous.

Accordingly, the same is dismissed as infructuous. No costs.

N.V.Ramana,J.

12th August,2004.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Additional Revenue Divisional Officer,
Land Reforms Bandar, Krishna Dist.,
2 Sub-Collector,Vijayawada,
Vijayawada,
3 Mandal Revenue Officer,
Jaggaiahpet, Krishna District

4. 2CCs to G.P. for Revenue, High Court Buildings, Hyderabad.

2. 2CD copies

THE HONOURABLE SRI JUSTICE N.V.RAMANA

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W.P.No. 8625 OF 1995

12th August, 2004.

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